IN THE HIGH COURT OF JUDICATURE OF BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.317 OF 2005

Dnyaneshwar Ashok Mule. ..Appellant.

V/s.

1. The State of Maharashtra ..Respondent.

Mr.Arfan Sait, appointed advocate for appellant.

Mr.K.V.Saste, APP for Respondent-State.

CORAM: A.M.KHANWILKAR,J

DATE : DECEMBER 12, 2006.

P.C. :

1. Additional Public Prosecutor has placed on record communication sent by the appellant through jail dated 4th December, 2006 stating that the Appellant was not interested in pursuing his appeal. Copy of this communication has been received in the office of the Public Prosecutor from the office of Jailor, Kolhapur Central Prison, Kalamba under covering letter dated 5/12/2006. Counsel for the appellant was appointed by the Court to espouse the cause of the appellant, has no instruction in this behalf. Even so, from the communication referred to above, which is placed on record would indicate that the appellant is not interested in pursuing this appeal. In fact, he has gone to the extent of saying that the appeal was not filed under his instructions.

2. Be that as it may, as the appellant is not interested in pursing this appeal, the same is dismissed as withdrawn.

3. The Court expresses a word of gratitude to Mr. Sait for accepting the request to appear as amicus curiae in this case at short notice.